

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

NETLIST, INC.

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD, et al.

Defendants.

Civil Case No. 2:22-cv-00293-JRG  
(Lead Case)

**JURY TRIAL DEMANDED**

NETLIST, INC.

Plaintiff,

v.

MICRON TECHNOLOGY TEXAS, LLC, et al.

Defendants.

Civil Case No. 2:22-cv-00294-JRG  
(Member Case)

**JURY TRIAL DEMANDED**

**SAMSUNG'S UNOPPOSED MOTION UNDER STANDING ORDER TO EXCEED  
PAGE LIMIT FOR ATTACHMENTS TO DISCOVERY DISPUTE BRIEFS**

Samsung respectfully requests leave to exceed the page limit for attachments to: (1) Samsung's Motion To Preclude Evidence Regarding the Alleged Essentiality of the Asserted Patents (Dkt. 374) and (2) Samsung's Motion To Enforce the Protective Order (Dkt. 375).<sup>1</sup>

Specifically, Samsung seeks leave to file: (1) 243 pages of exhibits in total attached to Samsung's Motion To Preclude Evidence Regarding the Alleged Essentiality of the Asserted Patents and (2) 24 pages of exhibits in total attached to Samsung's Motion To Enforce the Protective Order.

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<sup>1</sup> This Court's March 11, 2020 Standing Order Regarding "Meet and Confer" Obligations Relating to Discovery Disputes provides that "[a]ttachments to a discovery related motion . . . shall not exceed 5 pages."

Samsung believes that this page extension is necessary and warranted to allow Samsung to support its arguments fairly and adequately.

With respect to Samsung's Motion To Preclude Evidence Regarding the Alleged Essentiality of the Asserted Patents, Samsung seeks to provide excerpts of interrogatory responses, deposition notices, deposition transcripts, expert reports, and correspondences to demonstrate that Netlist failed to meet its disclosure obligations and thus that this Court should preclude Netlist from presenting any essentiality evidence in general. The additional pages are necessary to present a complete record.

With respect to Samsung's Motion To Enforce the Protective Order, Samsung seeks to provide excerpts of briefs from the C.D. Cal. Case and *EDTX1*, deposition transcripts, declarations, and correspondences to demonstrate that Netlist has violated the Court's Protective Order in this case.

Counsel for Samsung conferred with counsel for Netlist regarding this motion. Netlist stated that it does not oppose the relief sought herein.

A proposed order reflecting the relief requested is attached.

Date: January 17, 2024

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Respectfully submitted,

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Samsung Electronics America, Inc.; and Samsung Semiconductor, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on January 17, 2024. As of this date, all counsel of record have consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Daniel A. Tishman

**CERTIFICATE OF CONFERENCE**

Pursuant to Local Rules CV-7(h) and (i), counsel for the parties met and conferred telephonically on January 16, 2024. Counsel for Netlist indicated that they do not oppose this motion.

/s/ Daniel A. Tishman